REMARKS

This Amendment is a response to the Office Action of August 2, 2006. Applicants have carefully considered the rejections of the Examiner in the above-identified application. In light of this consideration, Applicants believe that the claims as now amended are allowable. Applicants respectfully request reconsideration of the rejection of the claims now pending in the application.

In the first office action new drawings where indicated as required. Claims 1, 2, 4, 6, 7, 9, and 10 – 12, have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,112,203 to Bharat et al. (hereinafter Bharat) in further view of U.S. Patent No. 6,886,129 to Raghavan et al. (hereinafter Raghavan). Claims 3, 5, 8, 10, 13, and 15, where rejected under 35 U.S.C. §103(a) as being unpatentable over Bharat and Raghavan in view of U.S. Patent No. 6,633,868 to Min et al. (hereinafter Min).

In the second office action claims 1-15 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. Claims 1, 6 and 11, were rejected under 35 U.S.C. §112. Claims 1, 2, 4, 6, 7, 9, 11, 12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bharat in further view of U.S. Patent No. 5,924,104 to Earl (hereinafter Earl). Claims 3, 5, 8, 10, 13, and 15, a were rejected under 35 U.S.C. §103(a) as being unpatentable over Bharat and Earl in further view of Min.

In this third office action claims 1-15 have been rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. The rejection of claims 1, 6 and 11, under 35 U.S.C. §112 has been withdrawn. Claims 1, 2, 4, 6, 7, 9, 11, 12, and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bharat in further view of Earl. Claims 3, 5, 8, 10, 13, and 15, are rejected under 35 U.S.C. §103(a) as being unpatentable over Bharat and Earl in further view of Min.

Claims 1-15 have been rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. The claims as now amended are believed to overcome that rejection. A document representation stored in memory will be understood by those skilled in the art as being very much included as "anything under the sun that is made by man". Further, a document representation stored in memory is an item of manufacture residing as it does in an electronic assembly. Further the claimed invention here directed to a methodology of assembling a document representation stored in memory does not fall within one of the judicially created exceptions, it is not directed to an abstract idea, natural phenomena, or law of nature. The claimed invention here is directed to a methodology of assembling a document representation stored in memory for subsequent viewing or printing by a user, and is thus useful and directed to a practical application. Further, the claimed invention is drawn to a transformation of web page data stored in memory, into a document representation stored in memory.

The Examiner is directed to: "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" to be found at: http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf; and in particular page 16 thereof where it is stated:

"If the invention as set forth in the written description is statutory, but the claims define subject matter that is not, the deficiency can be corrected by an appropriate amendment of the claims. In such a case, ***USPTO personnel should*** reject the claims drawn to nonstatutory subject matter under 35 U.S.C. § 101, but ***identify the features of the invention that would render the claimed subject matter statutory if recited in the claim***."

This last item as bolded, italicized, and underlined, has not been done. If the Examiner wishes to provide such input, the Applicants are very willing to consider such a suggestion.

The 35 U.S.C. §101 rejection has been overcome with the amendment of the claims. The Applicants respectfully allowance of claims 1-15.

Claims 1, 2, 4, 6, 7, 9, 11, 12, and 14, have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bharat in further view of Earl. Bharat teaches that in a computerized method, a set of documents is ranked according to their content and their connectivity by using topic distillation. The documents include links that connect the documents to each other, either directly, or indirectly. A graph is constructed in a memory of a computer system. In the graph, nodes represent the documents, and directed edges represent the links. Based on the number of links connecting the various nodes, a subset of documents is selected to form a topic. A second subset of the documents is chosen based on the number of directed edges connecting the nodes. Nodes in the second subset are compared with the topic to determine similarity to the topic, and a relevance weight is correspondingly assigned to each node. Nodes in the second subset having a relevance weight less than a predetermined threshold are pruned from the graph. The documents represented by the remaining nodes in the graph are ranked by connectivity based ranking scheme.

It is essential to the understanding Bharat that *Bharat is directed to a search engine* and as such is sorting through pages already identified by a simple word string search (please see column 1, lines 14-54). Bharat is concerned with solving the problem of answering a search engine query, and thus with ranking a set of documents to point to in response to that query. The Applicants however, are teaching that having identified where one document page is, how to find and pull together all relevant pages associated with that document into a single coherent document (please see page 5, first paragraph, of the Applicant's specification). A single coherent document representation suitable for subsequent printing and downloaded viewing. As such the Applicants teach "to weed out links which have properties that are not characteristic of ***intra-***document links" and thus eschew all other documents. Bharat on the other hand, will not link (i.e. reject) self referencing pages so as not to unduly influence the search outcome (see column 5, lines 17-20) where Bharat provides:

> "If a link points to a page that is represented by a node in the graph, and both pages are on *different* servers, then a corresponding edge 213 is added to the graph 211. ***Nodes representing pages on the same server are not linked. This prevents a single Web site with many self-referencing pages to unduly influence the outcome.*** This completes the n-graph 211."

Thus Bharat is interested in only ***inter***-document links for the sake of ranking links. Bharat does not assemble a single coherent document but a link list of search results responsive to a word query. Thus Bharat does NOT examine "the collective set of identified candidate document pages to weed out links which have properties that are not characteristic of ***intra***-document links".

Earl fails to provide what Bharat lacks, or provide any teaching relating to the Applicants' claimed invention. Earl provides link lists like Bharat but provides different presentation styles for the links to a user depending on whether they are intra-document or inter-document. Actually what Earl defines as intra-document is what the Applicants would call intra-page, i.e. a link pointing to a location somewhere further down the same page. And thus what Earl calls inter-document is really inter-page. The teaching found in Earl is simply about providing some indicia to the viewer as to whether a hyper link will take the user elsewhere down the present page or to an entirely different page.

The Applicants in the specification on page 6, lines 30-33 provide their definition of "intra-document":

> "The first step for an automated system for the identification of multi-page documents is to identify links within a given web page that may link to other pages within the same document. Such links are referred to as intra-document links."

The Applicants are assembling a document, and having identified the current page, have no interest in links to that page (they already have it) and thus would discard, or weed out, those links which Earl keeps.

Indeed the Examiner in the present office action of June 2, 2006, provides a definition for "weed out" from Encarta on page 11 of the present office action as "to separate out something undesirable" and then proceeds to ignore that definition. Earl, having made a discrimination between two type of links, ***keeps*** all those links. Choosing only to display then differently. The Applicants having discriminated between links to find some as not pointing to more of the desired document, ***discards*** or weeds out those links. A gardener, having spotted a weed, does not keep that weed in their flower bed to display differently. Thus Earl also does NOT examine "the collective set of identified candidate document pages to *weed out links* which have properties that are not characteristic of typical *intra*-document links".

Therefore, Earl in turn fails to provide what Bharat lacks, and thus the combination of Bharat and Earl fail to provide the requirements for a Prima Facie case of obviousness and thus the rejection is improper. The Applicants respectfully request reconsideration of claims 1, 2, 4, 6, 7, 9, 11, 12, and 14.

Claims 3, 5, 8, 10, 13, and 15, are rejected under 35 U.S.C. §103(a) as being unpatentable over Bharat and Earl in view of Min. As claims 3, 5, 8, 10, 13, and 15, depend from claims deemed allowable, they should be allowable as well. The Applicants respectfully request allowance of claims 3, 5, 8, 10, 13, and 15.

No additional fee is believed to be required for this amendment; however, the undersigned Xerox Corporation attorney authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby requested to call the undersigned attorney at (585) 423-6918, Rochester, NY.

Respectfully submitted,

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